



1PW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

10/764,007

Filing Date

January 23, 2004

First Named Inventor

Steven Maitain

Art Unit

2632

Examiner Name

Not Yet Assigned

Attorney Docket Number

C4-1152

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☐

Power of Attorney, Revocation
Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐ Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify
below):

European Search Report
Return Postcard

Remarks

CUSTOMER CODE 26799

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Tyco Fire & Security Services

Signature

Printed name

Rick F. Comoglio

Date

September 28, 2005

Reg. No.

40,963

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

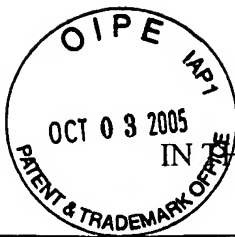
Mariah Moorhead

Date

September 28, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING 37 CFR §1.8

I hereby certify that the document(s) referenced herein are being deposited with the United States Postal Service, as First Class mail, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 28, 2005.

Mariah Moorhead

(Depositor's Signature)

Mariah Moorhead (Depositor's Name)

In re Application of: Maitin, et al.

Customer Code: 26799

Serial No.: 10/764,007

Group Art Unit: 2632

Filed: January 23, 2004

Examiner: Not Yet Assigned

For: ELECTRONIC ARTICLE SURVEILLANCE MARKER DEACTIVATOR USING AN EXPANDED DETECTION ZONE

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Date: September 28, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants bring to the attention of the Examiner the document(s) listed on the attached form PTO-1449. This Supplemental Information Disclosure Statement is being filed prior to the mailing date of any final action, notice of allowance, or an action that otherwise closes prosecution in the application.

The items listed on PTO-1449 were cited in the Search Report received from the European Patent Office in patent application EP 05 00 0373, which claims priority and corresponds to this U.S. patent application. The European Search Report, a copy of which is enclosed herewith, was **mailed on 30 June 2005**, which is less than 3 months from the filing date of this Supplemental Information Disclosure Statement.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute

“prior art”. If the Examiner applies a document as prior art against any claim in the application and Applicants determine that the cited document does not constitute “prior art” under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of the document.

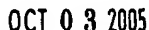
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rick Comoglio", written over a horizontal line.

Rick F. Comoglio
Reg. No. 40,963
Tyco Fire & Security Services
One Town Center Road
Boca Raton, Florida 33486



Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

(Use as many sheets as necessary)

Sheet	1	of	1
-------	---	----	---

Complete if Known

Application Number	10/764,007
Filing Date	January 23, 2004
First Named Inventor	Steven Maitin
Art Unit	2632
Examiner Name	Not Yet Assigned
Attorney Docket Number	C4-1152

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.